



**PUBLIC
ADMINISTRATION**

Section D

Evaluating Michigan State University's Best Practices in Implementing Title IX Policies, Procedures, and Resources

Gustavo R. Callejas *

Abstract

Title IX is a federal law that protects students from being discriminated against on the basis of sex, in any federally funded educational program. The Department of Education provides guidance to over 7,000 postsecondary institutions on how to implement Title IX policies and procedures. As a result of the broad guidance, provided by the Department of Education, sexual misconduct policies and procedures vary substantially throughout postsecondary institutions across the nation. Current research suggests that many postsecondary institutions are not enforcing their own policies, nor those mandated by the federal government. In contrast, preliminary findings suggest that postsecondary institutions who have dedicated more resources to implement Title IX support services, experience an increase in the number of sexual misconduct complaints filed. Based on these findings, this thesis will evaluate Michigan State University's best practices in implementing Title IX policies, procedures, and resources to determine whether Michigan State University, The Department of Education, and the Office of Civil Rights implement effective Title IX policies and procedures.

© 2018 California State Polytechnic University; Pomona. All rights reserved

Keywords: Title IX; Discrimination; Policies; Procedures

* Created by Gustavo R. Callejas, Department of Political Science, California State Polytechnic University, Pomona for his senior thesis project. Correspondence concerning this research paper should be addressed to Gustavo R. Callejas, Department of Political Science, California State Polytechnic University, Pomona, (909) 263-6730. Email: grcallejas@cpp.edu

1. Introduction

This thesis is about the implementation of Title IX policies and procedures at Michigan State University (MSU). Title IX is a federal law that states “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance” (2015). The United States Department of Education (DOE) and the Office for Civil Rights (OCR) provides guidance to “7,000 postsecondary institutions” on how to implement appropriate and effective Title IX policies and procedures so that these institutions operate in a “nondiscriminatory manner” and to “ensure equal access to education and to promote educational excellence throughout the nation *through vigorous enforcement of civil rights* [emphasis added]” (April 2015 and October 2015). This is an important issue to the study in the Public Administration subfield of Political Science. This is because on September 7, 2017 the Department of Education announced that it “will seek public feedback and combine institutional knowledge, professional expertise and the experiences of students to replace the current [Title IX] approach with a workable, effective and fair system” (September 2017).

From conducting a preliminary investigation on whether the current system we have in place is workable, effective or fair, I found that policies and procedures varied greatly from one postsecondary institution to another. For example, anecdotal evidence suggests that when postsecondary institutions devote more resources to Title IX those postsecondary institutions see an increase in Title IX complaints filed. From conducting preliminary research, I found that there is often conflicting literature on what Title IX policies are considered appropriate and/or effective. One study on effectiveness found that “sexual assault education interventions for college students tend to be more effective when they are longer, presented by

professionals, and include content addressing risk reduction, gender-role socialization, or provision of information and discussion of myths and facts about sexual assault (Anderson and Whiston, 2005). In another study, the research suggests that there is “qualitative and anecdotal evidence that schools are enforcing neither their own policy requirements or stated ethical standards, nor those required by the U.S. Department of Education (DOE), Title IX, and/or state laws” (Ridolfi-Starr, 2016). Other research suggests that, postsecondary institutions, such as Harvard University, who have dedicated more resources to implementing Title IX policies and procedures have seen a sharp increase in the number of Title IX complaints filed (Harvard Office of the Provost, 2016). There is strong emphasis in the literature that suggests more research needs to be done since there is a sense that sexual misconduct is vastly *underreported* because of inappropriate and ineffective policies at many postsecondary institutions nationwide.

All of this combined has lead me to the following research question: *Whether MSU implemented effective Title IX policies and procedures; and whether these policies and procedures resulted in an increase in reporting of Title IX complaints, and an increase in Title IX violations?* This research question is posed in this manner because MSU was obligated to implement appropriate and effective Title IX policies and procedures in compliance with federal law and under an agreement with the DOE and OCR in response to MSU’s mishandling of Title IX complaints (US DOE and Michigan State University, 2015). It is the mission of the DOE and OCR to ensure equal access to education free from sexual harassment. This thesis aims to prove whether the implementation of appropriate and effective Title IX policies, procedures, and resources correlates to an increase in Title IX complaints and violations.

2. Literature Review

In order to understand whether MSU implemented appropriate and effective Title IX policies, I had to

synthesize all the present-day research on Title IX to determine and understand what the core issues are. In my research I found constant themes that touched on: policies and procedures, reporting of complaints, due process, effectiveness, and criticisms. For the purpose of understanding what I learned in my research of MSU, I will present research on all the core issues.

2.1 Policies and Procedures

In order to understand whether a postsecondary institution implements effective Title IX policies and procedures, in regard to the reporting of Title IX complaints, it is important to understand the type of disciplinary models that a postsecondary institution implements and whether those disciplinary models fall into alignment with the regulations implemented by the DOE. Currently, postsecondary institutions have three disciplinary models. The first model is the disciplinary-hearing model where “a panel tries a student case” (Smith, 2017). The second model is the investigative model where “a trained investigator handles the case” (Smith, 2017). The third model is the hybrid model where “a panel and a trained investigator work together to manage the case” (Smith, 2017). The hybrid model retains the benefits of both models as it encourages the “reporting and the [perception] of the proceedings’ fairness while protecting the rights of both respondent and complainant students” (Smith, 2017).

The DOE must also determine whether Title IX policies and procedures are effective at postsecondary institutions by determining whether those higher education institutions are compliant with regulations. Initially, the DOE determined whether a postsecondary institution was complaint with federal law if a postsecondary institution met one prong/one requirement from its three-prong test rubric (Dinneen, 2013). The DOE’s three prong test consists of three elements. The first element is that the percentage of female and male students must correlate to the female and male population enrolled in the institution (Miller, 2014). The second element is that a postsecondary institution must show that it is “expanding participation opportunities for the underrepresented gender” (Miller,

2014). The third element must demonstrate that the postsecondary institution accommodated the “interests and abilities of the underrepresented gender” (Miller, 2014). Currently, the federal government and postsecondary administrators must evaluate Title IX complaints diligently and thoroughly to be complaint with federal law (Miller, 2014).

2.2 Reporting of Complaints

Postsecondary institutions have implemented either avenues or roadblocks which encourage or discourage the reporting of Title IX complaints. Some postsecondary institutions that encourage victims to report Title IX complaints make those postsecondary institution “look less safe, due to its high reports of violence” (Cantalupo, 2014). While postsecondary institutions who do not encourage victims to report Title IX complaints seem safer, there are fewer or in some cases zero “reports of violence” (Cantalupo, 2014). Postsecondary institutions who anonymously survey students “collect more accurate, school-specific data about the incidence rate of sexual violence” among students which improve “institutional responses to campus sexual violence” (Cantalupo, 2014). Nancy Cantalupo suggests that the DOE should require all postsecondary institutions to “victim-report,” and to survey sexual violence regularly at their respective campuses (2014). “Doing so would create numerous benefits for students, prospective students, parents, the general public, and even schools themselves” (Cantalupo, 2014).

While some postsecondary institutions grapple with whether sexual misconduct victims are reporting Title IX complaints, other postsecondary institutions are unsure when faculty and staff have a requirement to report Title IX complaints and violations under current federal guidance because they are inappropriately trained. A postsecondary institution cannot have effective Title IX policies and procedures if its faculty and staff are not appropriately trained on how to process Title IX complaints. For example, in a “national survey of counselor educators” consisting of “657 faculty members” from 20 randomly selected states, it was clear

that counselors were not aware of the “Title IX requirements to report student disclosures of gender-based discrimination” (Welfare, 2017). Counselors were found to exclude “some incidents that mandate reporting” and report incidents that were legally confidential (Welfare, 2017). If counselors are not appropriately trained regarding Title IX reporting procedures, their ineffective policies and procedures can lead to a decrease in reporting because they excluded incidents that should have been reported, while including instances that are invalid under current federal law. Effective policies in this case, would lead to an increase in reporting of Title IX complaints. Furthermore, resident assistants, “students who work for university housing,” are taking the role of “first responders” who handle student “residents’ disclosures of sexual assault under both federal and institutional policy” (Holland, 2017). Although, resident assistants have a “duty to report” under current Title IX guidance to a postsecondary institution’s Title IX Coordinator, they are not legally required by federal law to undergo sexual assault training (Holland, 2017). This study found that resident assistants “who had more accurate and comprehensive knowledge of the university’s sexual assault reporting procedures were...more likely to report disclosures to the university, while resident assistants who had more positive perceptions of their role as a mandatory reporter were significantly more likely to report sexual assault disclosures to the university” (Holland, 2017). Federal law mandates that certain individuals, such as resident assistants and counselors are mandated reporters, yet the law makes no provisions that these individuals receive mandated training regarding Title IX reporting procedures. Federal law leaves it up to the postsecondary institutions to decide whether they train mandated reporters on Title IX reporting procedures. In fact, federal law gives “substantial power and authority to colleges and universities” to implementation of Title IX regulations and see little evidence...that rates of campus sexual violence are decreasing” (Wies, 2015). If postsecondary institutions implemented appropriate policies and procedures, such as training of mandated reporters, then

there would be an increase in reporting of sexual misconduct cases, as reported in various studies. Mandatory training of mandated reporters is an effective policy that should be implemented at postsecondary institutions nationwide, yet mandated training is not a standard policy at postsecondary institutions nationwide.

2.3 Due Process

There has been debate on what standard of proof is necessary to bring forward a Title IX complaint. Currently, the DOE has allowed postsecondary institutions across the nation to choose between the preponderance of evidence standard and the clear/convincing evidence standard, to determine whether a Title IX complaint is valid. There is currently debate nationwide on which standard of proof is appropriate. Some critics argue that the clear and convincing evidence standard leads to less reporting of Title IX violations because claimants would need to provide witnesses and/or some type of proof that they were a victim of sexual assault. Others say that the use of the clear and convincing evidence standard would protect respondents from being “wrongfully found guilty”, as they have a higher risk to be found guilty under the preponderance of evidence standard (Villasenor, 2016). Outside of the debate, the judicial system has already established the standard of proof that should be used. Historically, “Title IX is a civil rights statute and civil rights’ causes of action have consistently been adjudicated using the preponderance standard” (Chmielewski, 2013). In Title IX complaints, the preponderance of evidence standard is upheld by the *Mathews v. Eldrige* balancing test, which consists of three parts: (1) “the private interest that will be affected by official action”; (2) “the risk of erroneous deprivation of such interest through procedures used, and probable value, if any, of additional or substitute procedural safeguards”; and (3) “the government’s interest, including the function involved and fiscal and administrative burdens that additional or substitute procedural requirements would entail.” (Edwards, 2015). It is argued that the preponderance of evidence standard in conjunction with the Mathews Balancing

Test “is appropriate in that accused students are not deprived of their due process rights under the preponderance of the evidence standard” (Edwards, 2015).

2.4 Effectiveness

In order to determine the best practices regarding Title IX policies and procedures, it must be determined which policies and procedures are most effective. Jason Block examines the best practices in Title IX implementation as having “separate and distinct sexual harassment [policies] that covers faculty, staff, and students either in separate policies or in one all-encompassing policy” (2012). Jason Block further opines that distinct policies allow faculty, staff, and students to have a clear and easy understanding of how consent is defined and the jurisdiction a postsecondary institution has in regard to claims of sexual misconduct (2012). It is imperative that postsecondary institutions implement clear and distinct policies as this is the first step in implementing effective Title IX policies and procedures. The next step is educating faculty, staff, and students on what those policies and procedures are. However, it is not simply educating faculty, it is determining and utilizing the types of educational programs that are the most effective. In terms of education, effectiveness can be measured by how long an individual retains the information they learn and whether sexual misconduct cases rise, fall, and/or remain stable. Lonsway and Kothari examines whether “mandatory rape prevention education programs” are effective (2000). In this study, mandatory rape prevention education programs were found to be most effective when “students involved in more than one [sexual misconduct] educational program” received “repeated intervention” (Lonsway, 2000). Specifically, mandatory rape prevention education programs are most effective when they are combined with other forms of educational programs because they reinforce the education that has been previously learned and they stall the deterioration, of the information learned, that occurs months after participation in an educational program

(Lonsway, 2000). Other studies have shown the effectiveness of rape prevention programs administered prior to any acts of sexual misconduct. Hanson and Gidycz empirically examine the effectiveness of “a sexual assault prevention program” (1993). They found that the rape prevention programs were “effective in decreasing the incidence of sexual assault for women without a sexual assault history” because it “led to a decrease in dating behaviors found to be associated with acquaintance rape and an increase in knowledge about sexual assault” (Hanson, 1993). These studies show that clear and distinct policies, as well as, continuous educational programs are effective policies and procedures which aid in the prevention of sexual misconduct and Title IX complaints.

2.5 Criticisms

One of the criticisms of current Title IX practices is the single-investigator model. In this model, “a single, trained member of the university’s Title IX investigation office conducts in-person interviews with each of the parties, reviews evidence, meets with witnesses, and prepares a report detailing his or her determination of the credibility of each party’s account. The report is then reviewed by both parties and by the Title IX coordinator and is then adopted as the final determination of whether the university’s policy was violated” (Ellman-Golan, 2017). One of the main criticisms is that same individual conducts the investigation and determines the educational sanction in a Title IX complaint (Ellman-Golan, 2017).

Students with Title IX complaints who have “no support by their schools, are called upon to file with OCR; to go public to the media, at great personal risk, when filing with OCR is insufficient; and to wait for the larger structural investigation to conclude before they may obtain relief for themselves. This system is not only unfair but also runs contrary to Title IX’s purpose of providing individuals with ‘effective protection’” (Peterson, 2016).

Five postsecondary institutions who have “intentionally acted in clear violation of Title IX”

include the following: (1) The University of Colorado Boulder settled a case where two female students were raped by football players for “\$2.5 million and \$350,000, respectively” (Coray, 2016); and (2) The Southern Methodist University, after an investigation by the Office of Civil Rights for failing to properly respond to a Title IX complaint, amended its policies and procedures to include “properly notifying students and faculty of the Title IX Coordinator on campus, creating resources advising students of their Title IX rights, [training] staff and students on the appropriate definitions of gender harassment, sexual harassment, and sexual assault, and clarifying options for parties involved in sexual harassment claims” (Coray, 2016); (3) In 2014, Columbia University released a report that revealed sexual misconduct investigations “took longer than the sixty days allowed by both federal guidance and Columbia’s own [internal policies]” and “expelled zero students found to have committed sexual assault that year” (Ridolfi-Starr, 2016); (4) In a report released by Amherst College “not a single student found responsible for sexual assault was expelled” between the 2009-2011 academic school years (Ridolfi-Starr, 2016); and (5) In 2016, Gustavus Adolphus College punished a student who committed rape and sexual assault “by requiring him to write a 500-word reflective essay” (Ridolfi-Starr, 2016). In addition to these significant findings, as of 2015, 174 postsecondary institutions were “currently under investigation for violating Title IX in sexual and dating violence cases” (Ridolfi-Starr, 2016). This is important because the DOE’s broad guidelines regarding Title IX have allowed postsecondary institutions to implement Title IX policies and procedures which sweep Title IX complaints under the rug and/or allow for educational sanctions which are inappropriate for the type of sexual violence perpetuated. Further, these types of barriers allow for postsecondary institutions’ administrators to have no “interest in becoming compliant... [to continue to be non-compliant] despite the legal mandate to meet the requirements of Title IX” (Dinneen, 2013). These types of violations are significant because they lead to, not only an underreporting of sexual misconduct cases, but they also

create an environment where students are barred from equal access to education because of implementation of policies and procedures which are ineffective and often dangerous.

Present day research has shown there is a lack of sexual assault education programming that is catered to “individuals from racially and culturally diverse backgrounds” (Anderson, 2005). The one study that has been conducted showed that African-American men “may respond more positively to a culturally relevant” sexual assault education programming than to a “color-blind” sexual assault education programming (Anderson, 2005). Also, LGBT students are not adequately represented in present day research nor protected by current Title IX guidance. “Title IX does not prohibit discrimination on the basis of sexual orientation” (Kimmel, 2016). The lack of sexual assault educational programming that caters to minorities and/or LGBT students is significant. Studies have shown that educational programs are most effective when they are tailored to certain groups.

“Government estimates suggest that for every rape reported, 3-10 rapes are committed but not reported” (Koss, 1987). Victims of sexual assault simply do not report. In order to achieve effective Title IX policies and procedures, there must be input from “campus victim advocates, Title IX coordinator(s), student affairs staff and administrators, students, and the larger campus community” (Koss, 2014). Postsecondary institutions must provide educational programs which prevent sexual assault, they must adhere to disciplinary models that protect the rights of both claimants and respondents, they must implement policies and procedures which are effective, and they must change policies and procedures when they are ineffective and/or dangerous.

3. Methodology

This thesis will analyze the effectiveness of MSU's Title IX policies and procedures through qualitative and quantitative analysis. Specifically, this thesis will use a case study and a data analysis. I will first analyze the

following reports: The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) reports, MSU’s Office of Institutional Equity (“OIE”) Title IX Annual Report, Husch Blackwell’s (“Husch”) Review of Michigan State University’s Policy on Relationship Violence and Sexual Misconduct Reports, and MSU’s Sexual Violence Advisory Committee (“SVAC”) reports. This thesis will utilize a dual approach in order to determine *Whether MSU implemented effective Title IX policies and procedures; and whether these policies and procedures resulted in an increase in reporting of Title IX complaints, and an increase in Title IX violations?* The ultimate goal is to determine whether the DOE and OCR’s best practices resulted in policies and procedures that were effective at MSU.

3.1 Qualitative-Case Study

MSU was chosen to be analyzed as a single case study for a variety of reasons. Initially, MSU was chosen because of the large amount of news coverage relating to Larry Nassar, a former physician at MSU, who has been recently been convicted of seven counts of criminal conduct. This was a result of several inappropriate encounters, while he was a physician at MSU. On further research, I discovered, outside of the Larry Nassar case, MSU had a long history of revising its Title IX policies and procedures and was currently in the process of doing so again. Further, I found that MSU over time was becoming more transparent in reporting its internal policies and allocation of resources.

The importance of analyzing the various reports is to determine whether there is a correlation between the allocation of resources, and whether those practices resulted in reducing and preventing sexual harassment, sexual misconduct, and sexual violence. This will determine which policies and procedures are effective. It is often difficult in matters of policy to understand how different policy implementations affect a campus, however when looking at multiple policy recommendations and referencing the qualitative data with the quantitative data and the inferred patterns, it

will be much clearer as to what policies produced what outcomes at MSU.

The SVAC is a MSU committee comprising of students, faculty, and staff who are appointed to the advisory committee by the University President (MSU SVAC, 2015). The purpose of the SVAC is to provide recommendations and strategies to MSU’s Title IX Coordinator regarding the MSU’s compliance with Title IX. These recommendations to MSU come as annual reports. First, I analyzed the 2015-2016 SVAC report which provided policy recommendations on how MSU should implement: “Major Theme 1: Increase University Transparency and Sustainability” and “Major Theme 2: Augment University Programs and Offer Multi-Dose Learning” (MSU SVAC, 2016). Then, I analyzed the 2016–2017 SVAC report which provided policy recommendations on how MSU should implement: “Major Theme 1: Augment University Communication,” “Major Theme 2: Continue Investing in Multi-Dose Learning/Education/Support Services Within Campus Community Settings” and “Major Theme 3: Distribute Responsibility (“It’s On Us”) Across the Campus Community” (MSU SVAC, 2017). Finally, I reviewed Jessica Norris’, MSU’s Title IX and ADA Coordinator, response to the recommendations to the 2015-2016 and 2016-2017 SVAC reports to determine whether MSU decided to adopt the policy recommendations and strategies (MSU OIE, 2016 and MSU OIE, 2017).

Husch Blackwell is a law firm that provides legal services / solutions to businesses so that they meet their business goals (Husch Blackwell, 2018). Husch Blackwell was contracted by MSU to provide an assessment of MSU’s Title IX policies and procedures to determine whether they were in compliance with the legal requirements of Title IX (Husch Blackwell, 2017). I did an analysis of Husch Blackwell’s “Review of Michigan State University’s Policy on Relationship Violence and Sexual Misconduct” (Report 1 of 2) (Husch Blackwell, 2017). The report provided an overview of MSU’s: “Compliance with Title IX and VAWA,” “Alignment with Policies and Procedure Best

Practice,” “Alignment with Peers” and “Leading-Edge Practices” (Husch Blackwell, 2017).

Violence Free Communities (“VFC”) is a committee whose purpose is to support “a campus culture free of relationship violence and sexual misconduct” (VFC, 2016). VFC provides support to MSU’s Title IX Coordinator by collaborating with Title IX stakeholders, such as SVAC, within the campus community and providing MSU’s Title IX Coordinator with recommendations. First, I analyzed VFC’s 2016-2017 Annual Report which provided several recommendations (VFC, 2017). Then, I reviewed Jessica Norris’. MSU’s Title IX and ADA Coordinator, response to VFC’s 2016-2017 Annual Report (MSU OIE VFC, 2017).

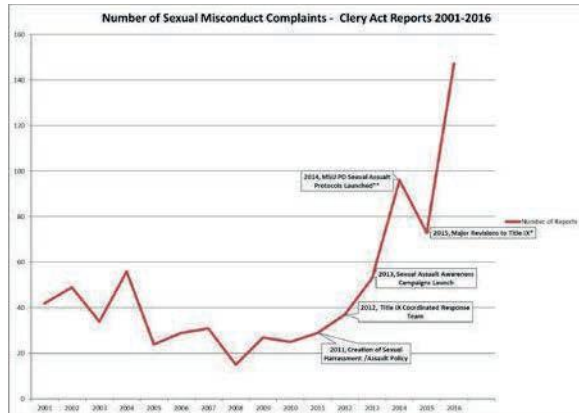
I also reviewed the Resolution Agreement between MSU, DOE, and OCR (Michigan State University, 2015). The Resolution Agreement mandated that MSU adopt stringent Title IX policies, procedures, and resources (Michigan State University, 2015).

3.2 Quantitative-Data Analysis

Initially, I intend to cull data from the 2001 to 2011 Clery Act reports. The Clery Act is a federal law which requires postsecondary institutions that receive federal funding for “financial aid programs to maintain and disclose campus crime statistics and security information” (Federal Student Aid, 2018). The purpose of culling data from Clery Act Reports is to determine a baseline of campus crime statistics and to determine whether the enactment of certain policies and procedures resulted in MSU have higher incident rates of stalking, sexual harassment, sexual misconduct, and sexual violence. The Clery Act Reports came from two main sources. The first source was the United States’ Department of Education Campus Safety and Security (“CSS”) website for the Clery Act Reports from 2001 to 2016. The Clery Act Reports downloaded from the CSS website contained five different data sets. The data sets are criminal offenses that occurred: non-campus, on campus, on campus student housing facilities, public property, and reported by local state police. Within each

of those five data sets there were two different series of data/numerical inputs. The data from years 2001 to 2013 only contained two types of data/numerical inputs related to “sexual misconduct” crimes: sex offenses – forcible and sex offenses – non-forcible. The data from the years 2014 to 2016 contained four types of data/numerical inputs related to “sexual misconduct” crimes: rape, fondling, incest, and statutory rape. The second source of Clery Act Report data derived from MSU’s Annual Security & Fire Safety (“SFS”) Report, published in October 1, 2017. This report contained data for years 2014 to 2016. The types of data/numerical inputs which related to “sexual misconduct” crimes were: rape, fondling, incest, statutory rape, domestic violence, dating violence, and stalking. The data from the CSS website and SFS Report had to be merged as the data from the CSS website had missing data. I manually inputted the data from both sources into an Excel file to get the total amounts of “sexual misconduct” crimes committed each year beginning at 2001 and ending at 2016. I then created a line graph from that data. The y-axis were years and the x-axis were the number of sexual misconduct complaints filed and disclosed in the Clery Act Reports for that year. I then labelled on the line graph the following key policy changes: 2011, creation of Sexual Harassment/Assault policy, 2012, creation of Title IX Coordinated Response Team, 2013, Sexual Assault Awareness Campaign Launch, 2014, MSU Police Department Sexual Assault Protocols launched, and 2015, Major Revisions to Title IX. The purpose of this was to assess whether there was a potential correlation between policy changes and the amount of sexual misconduct complaints filed that year.

Chart A: Clery Act Reports 2001-2016



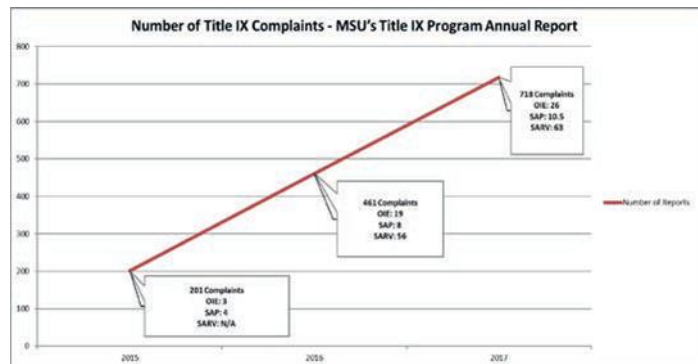
Next, I culled data from the 2015-2016 and 2016-2017 MSU’s Office of Institutional Equity’s (“OIE”) Title IX Annual Reports. These reports contained publicly disclosed information of how many Title IX complaints were filed per academic year, whether those complaints were investigated or not investigated, the reasons why they were investigated or not investigated, the outcome of those investigations, and the educational sanctions resulting from those violations. The OIE reports also contained information regarding the amount and type of resources MSU provided for that reported year and the number of students that attended programs, workshops, and support and emergency services. I decided to focus in on the following MSU resources: OIE, Sexual Assault Program (“SAP”), a program which offers “counseling, advocacy, and support groups to MSU students”, and Sexual Assault and Relationship Violence Prevention Program (“SARV), a program/workshop that is a requirement “for all first year and transfer students” to educate students on “sexual assault and relationship violence” (MSU SAP, 2018 and MSU SARV, 2018). Please note, that I omitted the MSU Police Department because

the number of officers dedicated to sex-based crimes remained

constant during this time period. For OIE, I consolidated the number of investigators, staff, and dedicated specialist into one numerical value. For SAP, I consolidated the amounts of program coordinator, therapists, counselors, program advocated, volunteer coordinator, office manager, and health care assistant into one numerical value. For SARV, I consolidated the amount of peer educators, graduate assistants and staff into one numerical value. I manually inputted the data for the number of Title IX complaints filed for the 2015-2017 years into an Excel file. I then created a line graph from that data. The y-axis are years and the x-axis are the number of Title IC complaints filed and disclosed by MSU’s OIE. I then labelled on the line graph the following amount of resources afforded by the following programs: OIE Staff, SAP Staff, and SARV Staff. The purpose of this was to assess whether there was a potential correlation between the amount of resource allocated and the amount of Title IX complaints filed that year.

Chart B: Title IX Complaints 2015-2019

Next, I manually inputted data from the 2015-2016 OIE Title IX Annual Reports into a table that contained the following data / numerical inputs: the total number



of Title IX complaints filed that year, followed by a breakdown of the following sub-categories: Title IX Investigations which: resulted in a dismissal, resulted in disciplinary action, resulted in a non-violation, or were still open. I also included the following data/numerical inputs: the number of Title IX complaints that were not investigated, followed by a breakdown of the following sub categories: Title IX complaints not investigated because: of non-participation, of administrative closure, of no jurisdiction, and complaint did not meet standard. The purpose of this was to assess the potential correlation between the amounts of complaints filed and the amount of disciplinary actions.

Table A: 2015-2016 Title IX Complaints

	Number	Percentage
Total Investigated	83	18%
Formal Investigation	66	14%
Violation	38	8%
Dismissal	9	2%
Other	29	6%
Non-Violation	28	6%
Still Open	17	4%
Total Non-Investigated	378	82%
Non-participation	298	64%
Administrative Closure	12	3%
No jurisdiction	50	11%
Does not meet standard	27	6%
Total Title IX Complaints	461	100%

2% of cases resulted in dismissal / 6% of cases resulted in other disciplinary actions

Table B: 2016-2017 Title IX Complaints

	Number	Percentage
Total Investigated	93	13%
Formal Investigation	74	10%
Violation	44	6%
Dismissal	15	2%
Other	29	4%
Non-Violation	40	5%
Still Open	19	2%
Total Non-Investigated	625	87%
Non-participation	451	63%
Administrative Closure	23	3%
No jurisdiction	101	14%
Does not meet standard	50	7%
Total Title IX Complaints	718*	100%

2% of cases resulted in dismissal / 4% of cases resulted in other disciplinary actions

4. Results

4.1 Case Study

The SVAC, VFC, and Husch Blackwell reports seem to be reports to show the DOE that there are efforts in place to be in compliance with federal law and the resolution agreement signed in 2015. These reports indicate a type of facade, which placate the need for the DOE and OCR to probe deeper into MSU internal policies, whereby the reports only touch on the surface layer. They are strictly there to reaffirm that MSU is being compliant with the minimal requirements of federal guidelines and the resolution agreement. However, the evidence does parallel the supposedly implemented policies. On the other hand, the Husch

Blackwell report often refers to MSU as “leader” in postsecondary institutions regarding Title IX policies and procedures. We know this is not true because in 2015, MSU was mandated by the DOE and OCR into a resolution agreement, which forced MSU to have narrow, binding, strict guidance given MSU’s negligence and poor previous policies. Further, the Husch Blackwell report claims that MSU is using a hybrid model of the disciplinary model and suggests that this model is ideal, while giving the pros and cons of other commonly used nation-wide models. The reason for highlighting this, is because the Husch Blackwell report consistently praises MSU’s practices and policies as the best in the nation while at the same providing alternatives with pros and cons, however suggestion that the MSU does not change anything. Essentially, their reports do not provide any further guidance, nor suggestions, nor criticisms. Further, MSU hires Husch Blackwell to write an external report. These reports are presented in a way that present “non-bias” and objectivity – however the reports are profoundly bias and funded by the MSU. This is essentially a practice of falsified compliance, to “prove” to the DOE that MSU has transparent practices and procedures, to maintain the agreement and “prove” ethical practices. It’s not worth analyzing these reports as MSU’s Title IX coordinator has consistently responded back to three separate reports with the following boilerplate language:

“First, let me begin by thanking each of you for your service on the committee and your commitment to enhancing the University’s response, prevention and education efforts, and supportive services. I appreciate the work of the committee in gathering input from the campus community and representing the voice of the campus on this important issue. I have attached for your reference the Annual Report and recommendations prepared by the Violence Free Communities Committee. Their recommendations were informed by the input you gathered through the open forum and focus groups conducted during the spring semester. I am supportive of all of the recommendations VFC presented and will work with

them to implement these recommendations and seek input from the SVAC as appropriate in that process. More detailed information about the VFC plans will be provided during the fall SVAC orientation. Thank you again for your work this year and for the integral role you played in representing the voice of the community in this process. We have accomplished much this year and I look forward to working with you next year as we continue to advance our efforts in this area” (MSU OIE, 2016 and MSU OIE, 2017)

Essentially, MSU is barely compliant with federal law but are not addressing the core issues of transparency, communication, recommendations, and resolutions that the campus community feels is necessary for appropriate and efficient Title IX policies and procedures. Specifically, many of the reports request that MSU provide regular and routine communication with faculty and staff regarding new or existing policies. With one report citing that MSU needs to implement communication that is “non-reactionary.” Most importantly, the SVAC has requested that MSU implement communication strategies that are scripted and brief (SVAC, 2017). There is also a sense that the campus community is looking towards administration and department heads to spearhead the engagement and dialogue at the campus. With that in mind, there isn’t any evidence that policy recommendations are being implemented.

4.2 Chart A

In the first time series chart, “Number of Sexual Misconduct Complaints – Clery Act Reports 2001-2016” (Chart A) I plotted on the y-axis the years and I plotted the following data points on the x-axis for the number of sexual misconduct complaints filed and disclosed in the Clery Act Reports for that correlating year. For 2001, the number of reports filed that year were 42 in total. For 2002, the number of reports filed that year were 49 in total. For 2003, the number of reports filed that year were 34 in total. For 2004, the number of reports filed that year were 56 in total. For 2005, the number of reports filed that year were 24 in

total. For 2006, the number of reports filed that year were 29 in total. For 2007, the number of reports filed that year were 31 in total. For 2008, the number of reports filed that year were 15 in total. For 2009, the number of reports filed that year were 27 in total. For 2010, the number of reports filed that year were 25 in total. For 2011, the number of reports filed that year were 29 in total. For 2012, the number of reports filed that year were 37 in total. For 2013, the number of reports filed that year were 53 in total. For 2014, the number of reports filed that year were 96 in total. For 2015, the number of reports filed that year were 73 in total. For 2016, the number of reports filed that year were 147 in total.

Then on the line graph I marked when key Title IX policies went into effect and the potentially correlating increase in the number of sexual misconduct complaints in the following year. For 2011, the Creation of Sexual Harassment / Assault Policy resulted in an increase of 8 reports. For 2012, the Title IX Coordinated Response Team resulted in an increase of 16 reports. For 2013, the Sexual Assault Awareness Campaigns Launch resulted in an increase of 43 reports. For 2014, the MSU PD sexual assault protocols launch resulted in a decrease of 23 cases (during this time, MSU signed an agreement with the DOE and OCR to revise and strengthen its internal policies). For 2015, the major revisions to Title IX resulted in an increase of 73 cases.

4.3 Chart B

In the second time series chart, “Number of Title IX Complaints – MSU’s Title IX Program Annual Report” (Chart B) I plotted on the y-axis the years and I plotted the following data points on the x-axis for the number of Title IX complaints filed and disclosed in the 2015-2016 and 2016-2017 MSU’s OIE Title IX Annual Reports for that correlating year. For 2015, the number of Title IX complaints filed that year were 201 in total. For 2016, the number of Title IX complaints filed that year were 461 in total. For 2017, the number of Title IX complaints filed that year were 718 in total.

This next chart is based off of data from MSU’s Title IX Annual Reports from 2015-2017.

On the line graph, I also provided a breakdown of the amount of resources provided that year. In 2015, MSU’s OIE had 3 staff members, MSU’s SAP had 4 staff members, and MSU’s SARV did not exist at this time. In 2016, MSU’s OIE had 19 staff members, MSU’s SAP had 8 staff members, and MSU’s SARV had 56 staff members and volunteers (this resulted in an increase of 16 OIE staff members, 4 SAP members, and 56 SARV staff members and volunteers). In 2017, MSU’s OIE had 26 staff members, MSU’s SAP had 10.5 staff members (one part-time employee), and MSU’s SARV had 63 staff members and volunteers (this resulted in an increase of 7 OIE staff members, 2.5 SAP staff members, and 7 SARV staff members and volunteers).

4.4 Table A

In the table, “2015-2016 Title IX Complaints” (Table A) I extracted the data for the investigation outcomes filed that year. Out of 461 Title IX complaints filed that year (100%), 83 were investigated (18%) and 378 were Non-Investigated (82%). I then further broke down those numbers into sub-categories under the “investigated” and “non-investigated” categories. For formal investigations that resulted in a violation that resulted in a “dismissal” the sub-total was 9 cases (2%). For formal investigations that resulted in a violation that resulted in “other disciplinary actions” the subtotal was 29 cases (6%). For formal investigations that resulted in a “non-violation” the subtotal was 28 cases (6%). For investigated cases that were “still open” the subtotal was 17 cases (4%). For non-investigated cases which resulted from “non-participation” the subtotal was 298 cases (64%). For non-investigated cases which resulted from “administrative closure” the subtotal was 12 cases (3%). For non-investigated cases which resulted from “no jurisdiction” the subtotal was 50 cases (11%). For non-investigated cases which resulted from “does not meet standard” the subtotal was 27 cases (6%).

4.5 Table B

In the table, “2016-2017 Title IX Complaints” (Table B) I extracted the data for the investigation outcomes

filed that year. Out of 718* Title IX complaints filed that year (100%), 93 were investigated (13%) and 625 were Non-Investigated (87%). I then further broke down those numbers into sub-categories under the “investigated” and “non-investigated” categories. For formal investigations that resulted in a violation that resulted in a “dismissal” the sub-total was 15 cases (2%). For formal investigations that resulted in a violation that resulted in “other disciplinary actions” the subtotal was 29 cases (4%). For formal investigations that resulted in a “non-violation” the subtotal was 40 cases (5%). For investigated cases that were “still open” the subtotal was 19 cases (2%). For non-investigated cases which resulted from “non-participation” the subtotal was 451 cases (63%). For non-investigated cases which resulted from “administrative closure” the subtotal was 23 cases (3%). For non-investigated cases which resulted from “no jurisdiction” the subtotal was 101 cases (14%). For non-investigated cases which resulted from “does not meet standard” the subtotal was 50 cases (7%).

5. Conclusion

In the end, this thesis found that there was not enough research to determine whether MSU implemented effective Title IX policies and procedures. However, this study is still relevant because it demonstrates the need for further research. Two years’ worth of completely transparent data is not enough to come to a definitive conclusion. Although MSU adopted the “best practices”, as mandated to them by the DOE and OCR, as the amount of cases rose, the amount of violations that resulted in dismissals remained steady at 2% of total Title IX complaints filed in both 2015-2016 and 2016-2017. At the same time, the amounts of dismissals increased from 9 cases in 2015-2016 to 15 cases in 2016-2017. Further, as the amount of cases rose, the amount of violations that resulted in other disciplinary actions decreased from 6% in 2015-2016 to 4% in 2016-2017. At the same time, the amount of other disciplinary actions remained steady at 29 cases in 2015-2016 and 2016-2017. Finally, as the amount of resources were increased, the amount of cases that MSU decided not to investigate rose from 82% in 2015-2016 to 87% in 2016-

2017. This was an increase of 378 cases in 2015-2016 to 625 cases in 2016-2017. The amount of resources allocated to implementing effective Title IX policies and procedures also had another unintentional effect, it made the recommended policy changes inefficient. As the amount of Title IX complaints filed increased, MSU was increasingly unable to process Title IX complaints, which has since resulted in an 80-day backlog (MSU Today, 2018). MSU’s inability to resolve Title IX complaints within a 60-day period is contrary to Obama-era guidelines which constitutes that Title IX investigations are commonly resolved within 60 days of the filing of the complaint (United States DOE, 2011). Although, the DOE and OCR have issued new guidance, there are no specific time frames to resolve Title IX complaints, the DOE and OCR still mandate that investigations are completed in a timely and prompt manner (United States DOE Q and A, 2017). MSU has since hired an outside law firm, Kroll, to process the backlog of Title IX Complaints and the influx of new Title IX Complaints arising from MSU’s mishandling of a particular Title IX investigation (Kroll, 2018).

In 2014, MSU mishandled a Title IX complaint that gained national attention for a complaint filed against Larry Nassar, a physician at MSU. Since then, multiple Title IX complaints were lodged against Dr. Nassar which substantially affected the numbers of rape and fondling that occurred in the 2016 time period (MSU Annual Security & Fire Safety Report, 2017). Since most of the complainants could not recall when the rape or fondling occurred, the MSU Police Department included those numbers in the 2016 time period. The 2014 Title IX complaint alleged that Dr. Nassar had “inappropriately touched her” with the investigation concluding that Dr. Nassar’s actions did not constitute a Title IX violation because the incident was “not of a sexual nature” (Davey and Smith, 2018). Following the 2014 Title IX investigation, Dr. Nassar was allowed to return to work under protocols that limited his interaction with patients (but were never enforced by MSU administrators) (Mencarini, 2017). On September 20, 2016, Larry Nassar was fired by MSU after the university received multiple allegations of sexual

misconduct (Haxel and Mencarini, 2016). On January 24, 2018, Larry Nassar was sentenced to 40 to 175 years in prison after pleading guilty to seven counts of first-degree criminal sexual misconduct (Cacciola and Mather, 2018). An investigation completed by the Detroit News revealed that MSU has been aware, for at least the past two decades, of similar allegations concerning Dr. Nassar and various other individuals (Kozlowski, 2018). These allegations have put MSU under a spotlight. On January 24, 2018, MSU President Lou Anna K. Simon resigned in response to the Larry Nassar conviction and allegations. On February 26, 2018, the DOE and OCR announced that they would commence a Title IX compliance examination to determine if there was a systematic failure of Title IX policies and procedures resulting from the numerous reports against Dr. Nassar (Devos, 2018). As a result of this new investigation, it is most likely that MSU will once again have to revise its policies and procedures under the direct supervision of the DOE and OCR. The Larry Nassar case has revealed systematic deficiencies in how the DOE and OCR advise postsecondary institutions on what the best practices are in implementing Title IX policies, procedures, and resources when they are not.

Although, this thesis was a single case study of one university experiencing the worst case scenario in implementing Title IX policies and procedures. More research needs to be conducted as to whether what is occurring at MSU is occurring at other postsecondary institutions nationwide. Specifically, more research needs to be completed on how standalone postsecondary institutions handle implementation of Title IX and how postsecondary institution systems, such as the California State University System ("CSU"), handles implementation of Title IX through an even more complex set of rules and regulations. Also, the research conducted for this thesis showed that there are a wide range of opinions on what constitutes effective Title IX policies and procedures. Some of the recommended models include those that are culturally based, which focus in on education that is tailored to minority groups

to preventive based models, where the campus community is constantly educated on the issue.

Ultimately, the main flaw with Title IX is that it is overly broad and ambiguous, and in turn universities have developed Title IX policies and procedures which do not serve the interest of the student. The minimal policy guidance provided by the DOE and the OCR leaves much of the policy and procedure specifics to the university and in turn universities have developed policies and procedures which serve the interest of the university by which Title IX complaints do not turn into a Title IX violation, and thus the university avoids legal action by sweeping Title IX complaints under the rug.

6. Works Cited

- Anderson, L., & Whiston, S. (2005). Sexual Assault Education Programs: A Meta-Analytic Examination of Their Effectiveness. *Psychology of Women Quarterly*, 29(4), 374-388.
- Block, Jason A. (2012). "Prompt and Equitable" Explained: How to Craft a Title IX Compliant Sexual Harassment Policy and Why It Matters. *College Student Affairs Journal*, 30(2), 61-71.
- Cacciola, Scott, & Mather, Victor (2018, January, 24). Larry Nassar Sentencing: 'I Just Signed Your Death Warrant'. *The New York Times*. Retrieved from: <https://www.nytimes.com/2018/01/24/sports/larry-nassar-sentencing.html?hp&action=click&pgtype=Homepage&clickSource=storyheading&module=photo-spot-region®ion=top-news&WT.nav=top-news>
- Cantalupo, Nancy Chi, & Jordan, Carol E. (2014). Institution-Specific Victimization Surveys. *Trauma, Violence, & Abuse*, 15(3), 227-241.
- Coray, E. (2016). Victim Protection or Revictimization: Should College Disciplinary Boards Handle Sexual Assault Claims? *Boston College Journal of Law & Social Justice*, 36(1), 59-90.

- Chmielewski, A. (2013). Defending the Preponderance of the Evidence Standard in College Adjudications of Sexual Assault. *Brigham Young University Education & Law Journal*, (1), 143-174.
- Davey, Monica, & Smith, Mitch. (2018, January 27). In Nassar Case, Michigan State Wanted Famed Ex-Prosecutor to Both Examine and Defend It. *The New York Times*. Retrieved from: <https://www.nytimes.com/2018/01/27/us/michigan-state-nassar-fitzgerald.html>
- Dinneen, R., Pucci, Thomas, & Kinsey, Thomas. (2013). A Study of the Factors Supporting Compliance With Title IX and the Barriers Acting as Obstacles to Compliance With Title IX, *ProQuest Dissertations and Theses*.
- Edwards, S. (2015). The Case in Favor of OCR's Tougher Title IX Policies: Pushing Back Against the Pushback. *Duke Journal of Gender Law & Policy*, 23(1), 121-144.
- Ellman-Golan, E. (2017). Saving Title IX: Designing More Equitable and Efficient Investigation Procedures. *Michigan Law Review*, 116(1), 155-186.
- Federal Student Aid (2018, March 9). Retrieved from: <https://studentaid.ed.gov/sa/about/data-center/school/clery-act-reports>
- Hanson, K. A., & Gidycz, C. A. (1993). Evaluation of a sexual assault prevention program. *Journal Of Consulting And Clinical Psychology*, 61(6), 1046-1052.
- Harvard Office of the Provost (2016, November 29). Retrieved from: http://titleix.harvard.edu/files/title-ix/files/harvard_title_ix_office_2015-2016_annual_report.pdf
- Holland, K., & Cortina, L. (2017). The Evolving Landscape of Title IX: Predicting Mandatory Reporters' Responses to Sexual Assault Disclosures. *Law And Human Behavior*, 41(5), 429-439.
- Husch Blackwell (2017, November). Retrieved from: http://titleix.msu.edu/information-reports/msu_report_2017_external.pdf
- Husch Blackwell (2018, March 9). Retrieved from: <https://www.huschblackwell.com/ourfirm/firmoverview>
- Kimmel, A. (2016). Title IX: An Imperfect but Vital Tool To Stop Bullying of LGBT Students. *Yale Law Journal*, 125(7), 2006-2036.
- Koss, M. P., Gidycz, C. A., & Wisniewski, N. (1987). The scope of rape: Incidence and prevalence of sexual aggression and victimization in a national sample of higher education students. *Journal Of Consulting And Clinical Psychology*, 55(2), 162-170.
- Koss, Mary P, Wilgus, Jay K, Williamsen, Kaaren M, & Jordan, Carol E. (2014). Campus Sexual Misconduct. *Trauma, Violence, & Abuse*, 15(3), 242-257.
- Kozlowski, Kim (2018). What MSU knew: 14 were warned of Nassar abuse 8 Women Reported Abuse Claims, At Least One of Which Reached President. *The Detroit News*. Retrieved from: <https://www.detroitnews.com/story/tech/2018/01/18/msu-president-told-nassar-complaint-2014/1042071001/>
- Kroll (2018, March 9). Retrieved from: <https://www.kroll.com/en-us/what-we-do/investigations/sexual-misconduct-and-title-ix-investigations>
- Lonsway, K., & Kothari, C. (2000). First Year Campus Acquaintance Rape Education: Evaluating the Impact of a Mandatory Intervention. *Psychology of Women Quarterly*, 24(3), 220-232.
- Mencarini, M. (2017, December 20). MSU Let Larry Nassar See Patients for 16 Months during Criminal Sex Assault Investigation. *Lansing State Journal*. Retrieved from: <https://www.lansingstatejournal.com/story/news/local/2017/12/19/michigan-state-larry-nassar/964034001/>

- Michigan State University (2017, October 1). Retrieved from: <http://police.msu.edu/wp-content/uploads/2017/09/asfsreport2017.pdf>
- Michigan State University MSUTODAY (2018, February 13). MSU Hired Firm to Help Promptly Investigate Reports of Sexual Assault, Harassment. *Michigan State University*. Retrieved from: <https://msutoday.msu.edu/news/2018/msu-hires-firm-to-help-promptly-investigate-reports-of-sexual-assault-harassment/>
- Michigan State University Office of Institutional Equity (2016, May 23). Retrieved from: [http://titleix.msu.edu/make-a-report/Response%20to%20SVAC%20Recommendations%20052316.pdf#Response to SVAC Recommendations](http://titleix.msu.edu/make-a-report/Response%20to%20SVAC%20Recommendations%20052316.pdf#Response%20to%20SVAC%20Recommendations)
- Michigan State University Office of Institutional Equity (2017, June 5). Retrieved from: <http://titleix.msu.edu/files/documents/response-to-svac-report-vfc-recommendations-060517.pdf>
- Michigan State University Sexual Assault & Relationship Violence Prevention Program (2018, March 9). Retrieved from: <http://sarv.msu.edu/>
- Michigan State University Sexual Assault Program (2018, March 9). Retrieved from: <http://endrape.msu.edu/>
- Michigan State University Sexual Violence Advisory Committee (2015, October 15). Retrieved from: <http://titleix.msu.edu/files/documents/svac-overview-and-charge.pdf>
- Michigan State University Sexual Violence Advisory Committee (2016, April 15). Retrieved from: <http://titleix.msu.edu/files/documents/svac-spring-2016-recommendations.pdf>
- Michigan State University Sexual Violence Advisory Committee (2017, April 5). Retrieved from: <http://titleix.msu.edu/files/documents/svac-spring-2017-toolkit-revised-april.pdf>
- Michigan State University Violence Free Communities (2016, March 17). Retrieved from: <http://titleix.msu.edu/files/documents/vfc-statement-of-purpose-goals.pdf>
- Michigan State University Violence Free Communities (2017, May, 1). Retrieved from: <http://titleix.msu.edu/files/documents/Violence-Free-Communities-2017-Annual-Report-FINAL.pdf>
- Miller, T., & Sorochty, R. (2014). *Risk Management in Student Affairs: Foundations for Safety and Success*. Hoboken: Wiley.
- Peterson, A., & Ortiz, O. (2016). A Better Balance: Providing Survivors of Sexual Violence with "Effective Protection" Against Sex Discrimination Through Title IX Complaints. *Yale Law Journal*, 125(7), 2132-2155.
- Ridolfi-Starr, Z. (2016). Transformation Requires Transparency: Critical Policy Reforms To Advance Campus Sexual Violence Response. *Yale Law Journal*, 125(7), 2156-2181.
- Smith, N. (2017). The Old College Trial: Evaluating the Investigative Model for Adjudicating Claims of Sexual Misconduct. *Columbia Law Review*, 117(4), 953-989.
- United States Department of Education (2001, January 19). Retrieved from: https://www2.ed.gov/about/offices/list/ocr/docs/shg_uide.html#Guidance
- United States Department of Education (2011, April 4). Retrieved from: https://www2.ed.gov/about/offices/list/ocr/letters/co_lleague-201104.pdf
- United States Department of Education (2015, April 29). Retrieved From: https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html
- United States Department of Education (2015, August 28). Retrieved from: <https://www2.ed.gov/documents/press-releases/michigan-state-agreement.pdf>

- United States Department of Education (2015, September 1). Retrieved from: <https://www2.ed.gov/documents/press-releases/michigan-state-letter.pdf>
- United States Department of Education (2015, October 15). Retrieved from: <https://www2.ed.gov/about/offices/list/ocr/aboutocr.html>
- United States Department of Education (2017, September). Retrieved from: <https://www2.ed.gov/about/offices/list/ocr/docs/qa-title-ix-201709.pdf>
- United States Department of Education (2017, September 7). Retrieved from: <https://www.ed.gov/news/press-releases/highlights-secretary-devos-remarks-title-ix-enforcement>
- United States Department of Education (2018, February 26). Retrieved from: <https://www.ed.gov/news/press-releases/us-department-education-launches-new-directed-investigation-msu-title-ix-compliance>
- Villasenor, J. (2016). A Probabilistic Framework for Modeling False Title IX ‘Convictions’ under the Preponderance of the Evidence Standard. *Law, Probability and Risk*, 15(4), 223-237.
- Welfare, L., Wagstaff, J., & Haynes, J. (2017). Counselor Education and Title IX: Current Perceptions and Questions. *Counselor Education and Supervision*, 56(3), 193-207.
- Wies, J. (2015). Title IX and the State of Campus Sexual Violence in the United States: Power, Policy, and Local Bodies. *Human Organization*, 74(3), 276-286.

Gustavo Callejas



Gustavo Callejas is a fourth year transfer student majoring in Political Science. During his time at Cal Poly Pomona, Gustavo was an ASI representative of the student body where he spent the past two years lobbying state and federal legislators on behalf of the student body. Some of his major accomplishments include working with various campus organizations and university administration to open up the Bronco Dreamers Resource Center and co-authoring the Title IX resolution “Resolution in Support of Creating Campuses Free of Sexual Misconduct and Sexual Violence” that was adopted by the Cal State Student Association and has since been distributed to the US Department of Education, the CSU’s Chancellor’s Office, and the California State Legislature. Gustavo will graduate in June 2018 - he hopes to spend the rest of his life fighting for the betterment of his community.

Email: grcallejas@cpp.edu